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**Official Report
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Wednesday 27 November 2013

**Journal
des débats
(Hansard)**

Mercredi 27 novembre 2013

**Standing Committee on
Regulations and Private Bills**

Great Lakes Protection Act, 2013

**Comité permanent des
règlements et des projets
de loi d'intérêt privé**

Loi de 2013 sur la protection
des Grands Lacs

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE
ON REGULATIONS
AND PRIVATE BILLS**

**COMITÉ PERMANENT DES
RÈGLEMENTS ET DES PROJETS DE LOI
D'INTÉRÊT PRIVÉ**

Wednesday 27 November 2013

Mercredi 27 novembre 2013

The committee met at 0803 in committee room 1.

SUBCOMMITTEE REPORT

The Chair (Mr. Peter Tabuns): The Standing Committee on Regulations and Private Bills will now come to order.

The first order of business is the subcommittee report relating to Bill 88 dated November 18, 2013.

Mrs. Donna H. Cansfield: Mr. Chair?

The Chair (Mr. Peter Tabuns): Ms. Cansfield.

Mrs. Donna H. Cansfield: Thank you, Chair. I wondered if we could have an agreement to defer consideration of the subcommittee report for a couple of hours so we can assess the kind of progress that we've been making on this particular bill, considering we have 30-plus amendments. Maybe around 10:10 we could have the discussion on the subcommittee report and then that would help us determine what's going to happen—

The Chair (Mr. Peter Tabuns): Do we have agreement on that?

Mr. Michael Harris: No. No, I think we should discuss whatever was spoken to in subcommittee addressing Bill 88 first and get that out of the road so we can commence clause-by-clause with regard to Bill 6.

Mrs. Donna H. Cansfield: Well, it would make some sense, when you consider that we have so many amendments in front of us, to just defer the discussion till about 10 o'clock.

Mr. Michael Harris: I think it makes more sense to just get that out of the way first so that we don't have to break in the midst of actually going through clause-by-clause at 10 or 10:15 to deal with this matter. Let's get this matter out of the road and get on to the show with Bill 6. I think that would make more sense.

The Chair (Mr. Peter Tabuns): Ms. Cansfield, I don't think we're going to have unanimity on this—

Mrs. Donna H. Cansfield: I agree.

The Chair (Mr. Peter Tabuns):—so I'll go with the agenda.

Mr. Harris, would you be willing to read out the subcommittee report?

Mr. Michael Harris: Oh, I don't have the subcommittee—do you have the subcommittee report? I buried it away here.

Interjection.

Mr. Michael Harris: Okay, go ahead, Walker or somebody. You were in the subcommittee; you read it.

Ms. Dipika Damerla: Chair, I'd like to move that we postpone consideration of this item.

The Chair (Mr. Peter Tabuns): I'm sorry?

Ms. Dipika Damerla: I move that we postpone consideration of the subcommittee report.

The Chair (Mr. Peter Tabuns): It's a motion. Is there any discussion?

Ms. Dipika Damerla: It's not a motion. As per our understanding, it's—it's a dilatory motion.

Mr. Michael Harris: We were in the midst of—

The Chair (Mr. Peter Tabuns): I'll put the question at the end of this. We've had a discussion—

Mr. Michael Harris: We're in the midst of—

Interjections.

The Chair (Mr. Peter Tabuns): Okay; I'm going with this advice.

I've had a motion to postpone. All those in favour of postponing the consideration of the subcommittee report? All those opposed? It fails. The motion fails. We'll go back to reading the subcommittee report.

Mrs. Jane McKenna: Thank you. Your subcommittee on committee business met on Monday, November 18, 2013, to consider the method of proceeding on Bill 88, An Act to amend the Child and Family Services Act with respect to children 16 years of age and older, and recommends the following:

(1) That the committee meet in Toronto to conduct public hearings on Wednesday, December 4, 2013.

(2) That the Clerk of the Committee post information regarding public hearings on the Ontario parliamentary channel and the Legislative Assembly website.

(3) That the Clerk of the Committee, in consultation with the Chair, place one advertisement regarding public hearings during the week of November 25, 2013, for one day only, in the Toronto Star, prior to the adoption of the subcommittee report.

(4) That interested people who wish to be considered to make an oral presentation contact the Clerk of the Committee by Friday, November 29, 2013, at 5 p.m.

(5) That witnesses be scheduled on a first-come, first-served basis.

(6) That witnesses be offered up to five minutes for their presentation and any remaining time be used for questions from committee members on a rotational basis.

(7) That the deadline for written submissions be Wednesday, December 4, 2013, at 5 p.m.

(8) That the deadline for filing amendments to the bill with the Clerk of the Committee be Monday, December 9, 2013, at 12 noon.

(9) That the committee meet for clause-by-clause consideration of the bill on Wednesday, December 11, 2013.

(10) That the Clerk of the Committee, in consultation with the Chair, be authorized prior to the adoption of the report of the subcommittee to commence making any preliminary arrangements to facilitate the committee's proceedings.

The Chair (Mr. Peter Tabuns): And you so move adoption.

Mrs. Jane McKenna: Yes.

The Chair (Mr. Peter Tabuns): Ms. Damerla.

Ms. Dipika Damerla: I just wanted to point out that it's my understanding that it's very unusual—in fact, highly unusual—to interrupt a bill in the middle of clause-by-clause to take up another issue. I'm just wondering if—

The Chair (Mr. Peter Tabuns): Well, we are not in the middle of a bill. Normally, subcommittee reports are the first item of business.

Ms. Dipika Damerla: But we would be—

The Chair (Mr. Peter Tabuns): If we had started debating the bill, then this would be an interruption, but we didn't start there; we started with the subcommittee report.

Was there any discussion? All those in favour of the subcommittee report? All those opposed? The subcommittee report is adopted; I will cast my vote to move things forward.

GREAT LAKES PROTECTION ACT, 2013

LOI DE 2013 SUR LA PROTECTION DES GRANDS LACS

Consideration of the following bill:

Bill 6, An Act to protect and restore the Great Lakes-St. Lawrence River Basin / Projet de loi 6, Loi visant la protection et le rétablissement du bassin des Grands Lacs et du fleuve Saint-Laurent.

The Chair (Mr. Peter Tabuns): Now we move on to clause-by-clause consideration of Bill 6, An Act to protect and restore the Great Lakes-St. Lawrence River Basin. Please note that I will put the question on consecutive sections that have no amendments together, but members may request to vote on each section individually.

We've received some additional and revised amendments that have been distributed this morning. Please add these amendments to your package. The ones with "R" put on them are revised versions. The ones with "A" are to be inserted after the number beside it. For example, amendment 13A goes after amendment 13. People are comfortable with that? Okay.

Are there any comments or questions before we begin? If not, we'll proceed with section 1, part 1.

We have an NDP motion. Would you like to—

Mr. Jonah Schein: Thank you, Chair. I move that paragraph 1 of subsection 1(2) of the bill be amended by adding "including through the elimination or reduction of harmful pollutants" at the end.

The Chair (Mr. Peter Tabuns): Any discussion? Mr. Harris?

Mr. Michael Harris: Yes, thank you, Chair. I appreciate everyone for being here today.

I couldn't help but notice—and I think I'll take an opportunity at the first, obviously, to state our case on Bill 6. Of course, we all want to do our part to reduce the harmful pollutants in our environment, but this amendment, I think, really brings up the question of the unnecessary duplication that currently exists already. For example, the government already has the Toxics Reduction Act and the Environmental Protection Act, actually, to deal with harmful pollutants.

I'm just not sure if in fact the NDP and the Liberals were spending some time this weekend—I notice that our next government motion is actually identical to the NDP motion, which obviously raises some concerns on a broader scale.

But I think it's important to go back to the actual Toxics Reduction Act that was passed. That was specifically passed to reduce and eliminate harmful and toxic substances. But of course, here we are again, as the Liberals and the NDP are dreaming up new ways to create more legislative overlap, conflict and duplication.

I'm just wondering, perhaps—it's a question for the lawyers, probably, at the end of this. As I had mentioned, the first and second motions are in fact identical. I do have a concern that—there's no concern for the consequences of perhaps, potentially, this amendment here. I think that all we're seeing is good electioneering, really, when it comes to things like this, and not really sound, coherent legislation.

So I actually have a subamendment that I'd like to propose as well, if I can so move that to this.

The Chair (Mr. Peter Tabuns): Is it prepared?

Mr. Michael Harris: Yes.

The Chair (Mr. Peter Tabuns): It's circulated?

Mr. Michael Harris: I'm not sure if it has been circulated. Has it been circulated?

Interjection.

Mr. Michael Harris: Yes, it has been circulated.

The Chair (Mr. Peter Tabuns): We'll just confirm.

Interjection.

Mr. Michael Harris: Yes, that's correct, an amendment to the amendment.

Interjection.

Mr. Michael Harris: Being that we just received these amendments, I guess, yesterday or the day before, we've prepared a subamendment to the amendment.

The Chair (Mr. Peter Tabuns): Okay, we'll recess for five minutes while copies are made and circulated.

The committee recessed from 0813 to 0823.

The Chair (Mr. Peter Tabuns): We resume. Mr. Harris, you have the floor. You've moved an amendment to the amendment. Would you make your motion to amend?

Mr. Michael Harris: Sure. I move that the motion be amended by striking out "including through the elimination or reduction of harmful pollutants" and substituting "including through efforts to eliminate or reduce harmful pollutants by building on and not duplicating existing protections for the Great Lakes-St. Lawrence River Basin."

The Chair (Mr. Peter Tabuns): Thank you. Go ahead.

Mr. Michael Harris: I should have asked legal counsel beforehand, but I just wanted to get your opinion on what effect the initial amendment would have on the law—and I'll ask afterwards, how my amendment—what would those ramifications be, in terms of duplication—

The Chair (Mr. Peter Tabuns): Counsel?

Ms. Tara Partington: Well, I don't think I could comment on the duplication issue because I'm not a subject matter expert in all of the environmental legislation that we have that would deal with this topic. The NDP motion that adds "including through the elimination or reduction of harmful pollutants"—the word "including" typically is just used to illustrate an example of what's already been offered, which in this case in paragraph 1 of subsection 1(2) is protecting "human health and well being through the protection and restoration of the ecological health of the Great Lakes-St. Lawrence River Basin." So I would interpret that as being an example of how that could done.

Mr. Michael Harris: And then my amendment to that—any ramifications or effects on—

Ms. Tara Partington: I guess that that's communicating the intent not to duplicate existing protections, but I don't think that I could comment on what effect that would have legally, necessarily. Probably a subject matter expert in the body of environmental law could provide a more detailed explanation.

Mr. Michael Harris: Is that just something that we would ask legislative research to comment or report back on in terms of how the duplication—particularly, of this amendment—what other impacts on other legislation it would have? Do we have legislative research here or no?

The Chair (Mr. Peter Tabuns): Do we have legislative research here?

The Clerk of the Committee (Ms. Valerie Quioc Lim): Not research, but there's ministry staff.

The Chair (Mr. Peter Tabuns): We do have ministry staff present.

Mr. Michael Harris: But not legislative research?

The Chair (Mr. Peter Tabuns): We've actually done most of the research we're going to do. We've heard the presentations. We're at the point of actually debating the bill.

Mr. Michael Harris: There's no legislative research, as typically is here? Is that the case?

The Clerk of the Committee (Ms. Valerie Quioc Lim): Not for clause-by-clause.

Mr. Michael Harris: Okay. All right.

The Chair (Mr. Peter Tabuns): So you've received your answer from counsel. Did you have further comment?

Mr. Michael Harris: Not at this time, I guess.

The Chair (Mr. Peter Tabuns): Okay. I have Mr. McNeely, who wanted to speak to this.

Mr. Phil McNeely: First thing, we do have ministry staff—legal—here, who could be consulted.

To speak to the amendment, many of the respondents to the consultation, which was quite large, have repeated the requirement. We're supportive of the NDP motion and we do not think that the amendment is necessary. It's duplicative. Our wording is consistent with the Toxics Reduction Act. I think that there's no reason for the amendment at this time.

The Chair (Mr. Peter Tabuns): Sorry. Are you speaking to Mr. Harris's amendment of the amendment?

Mr. Phil McNeely: Yes.

The Chair (Mr. Peter Tabuns): Okay.

Mr. Phil McNeely: The other point I wanted to make was that in the future, if we do have amendments that weren't included in this morning's package—we would appreciate if it would be read into the—just read it into the record, the amendments, and deal with it that way rather than having five-minute recesses.

The Chair (Mr. Peter Tabuns): I'll go amendment by amendment, Mr. McNeely.

Mr. Phil McNeely: Thank you.

The Chair (Mr. Peter Tabuns): And I understand the spirit in which you make your comments.

Any further discussion? Mr. Harris.

Mr. Michael Harris: Yes, just back to Mr. McNeely's. Of course, there was an aggressive timeline pertaining to the submission of these amendments. In fact, we worked over the weekend. We just received this initial batch of amendments, perhaps, Monday afternoon at some time. It's Wednesday morning. So do you know what? We've just had an opportunity to file any of the amendments, so we'll do our best to prepare things in the best time as appropriate.

But I do think it's important that—although Mr. McNeely, you were speaking to the initial amendment, not my subamendment—but your comments to the initial amendment are, and I think it's important that—

The Chair (Mr. Peter Tabuns): Can we just focus on one item at a time?

Mr. Michael Harris: Was he speaking to the amendment or the initial—

The Chair (Mr. Peter Tabuns): No, he was talking to your amendment.

Mr. Michael Harris: Okay. I just want to re-emphasize that it's important that science guides our decision-making about protecting the environment. I think we've seen far too many times the NDP and the Liberals work together to advance environmental ideology, really, instead of environmental science. We need to

protect the environment; I think we can all agree on that—at least I hope we can; I know I do—but we need to balance those environmental concerns with the economic ones.

Through this subamendment that I've raised, I think it's also important that, as mentioned, the acts that are already in place—the Toxics Reduction Act, the Environmental Protection Act—that my subamendment would obviously deal with those harmful pollutants, but not duplicating the existing protections that are already in place.

The Chair (Mr. Peter Tabuns): Okay. Mr. Harris, you've concluded?

Mr. Michael Harris: Yes.

The Chair (Mr. Peter Tabuns): Any other discussion? Mr. Walker?

Mr. Bill Walker: I'm relatively new to all of this, so I'm just wondering if MOE staff can provide some clarity that this amendment will ensure there's no duplication. Our concern is that there's already enough legislation in place for the protection.

One of the biggest things that I hear back from my constituents is that they don't want to see 15 different ministries—we're always tripping over each other. One piece of legislation refutes another, and another ministry. Our biggest concern is, when we're doing things like this, that's a huge, monumental issue, the Great Lakes. Obviously, we're in support of the environmental health and sustainability of the lakes, but we need to ensure that there is no duplication, ministry to ministry, which is actually going to conflict and confuse and slow down the process.

0830

Can the ministry provide some clarity on that, so that we are assured, before we go to any type of vote, that there is no duplication?

Mr. Phil McNeely: Chair, we called the question.

The Chair (Mr. Peter Tabuns): I'll take a vote on—

Mr. Bill Walker: I had still asked for—

The Chair (Mr. Peter Tabuns): Pardon?

Mr. Bill Walker: I had asked if the ministry could provide that. So before he can do that, I would like to have the answer to that, if I could, Chair.

The Chair (Mr. Peter Tabuns): Well, as he still has the floor, you can't call the question until the floor has been ceded.

You have a question for—

Mr. Bill Walker: For ministry staff. I've asked if there's a way that we can have some information provided to ensure that there's clarity, that this amendment is not going to allow for duplication or confusion between various acts that are out there—

The Chair (Mr. Peter Tabuns): If ministry staff could come forward, please.

Mr. Bill Walker: —or the bill. I mean, some of the submissions in here are already saying that there's a lack of clarity in a number of areas with regard to targets and what they're actually saying. Before I'm prepared to vote on behalf of my constituents, I want to understand how

this has been constructed and that they've given great thought so that they're not going to overlap different ministries, different pieces of legislation, and we're going to spend all of our time talking about the semantics as opposed to, are we truly doing anything to protect the Great Lakes.

The Chair (Mr. Peter Tabuns): If you would give your name for Hansard, and please address the questions.

Mr. James Flagal: Hi. My name is James Flagal, and I am counsel with the Ministry of the Environment, legal services branch.

The question was about whether or not this particular act would provide more duplication over what is existing law. The way that this particular legislation works, similar to the way the Lake Simcoe Protection Act works, is through existing statutes. What I mean by that is, as you know, there's something called a geographically focused initiative. That is a document that can seek to protect, let's say, an area of the basin to deal with a particular issue like, let's say, nutrient loadings. It does not in itself create a whole new layer of regulation. What it does is, it directs the way decisions under other acts can be made.

I'll give you an example. It may be appropriate in a particular area to say that in order to protect the lake from nutrients, just like what happened on Lake Simcoe—as you know, there was a nutrient problem in Lake Simcoe, so it was important to have a shoreline policy in that particular area, which meant that you had specific setbacks from development. That plan did not create a whole new layer. It basically directed the way Planning Act decisions should be made.

Or, in a coordinated fashion, what's also important from a nutrient loadings perspective, are contributions, for instance, from sewage treatment plants. So it directed the way phosphorus loading should be set in sewage treatment plant approvals.

In that respect, actually, the act attempts to “act,” for lack of a better word. It attempts to basically direct the way decisions are made under other acts in a coordinated way, in order to basically achieve a particular objective—in the particular instance I am basically saying, let's say, for the reduction of nutrients.

Mr. Bill Walker: But can you clarify, then? Does it supersede any of those other acts? Is it the ultimate decision power? Is it the ultimate legislation that says, “You shall do this”?

Mr. James Flagal: When you establish a geographically focused initiative for that particular area—if the decision is made through the particular development of that particular initiative that the sewage treatment plants should be reducing, in a coordinated way, their phosphorus loadings—then yes, there's a later provision that says if there's a policy in the geographically focused initiative that directs sewage treatment plants to reduce their loadings to a certain amount, then the approval would have to conform to that particular direction in the policy.

Mr. Bill Walker: So can you clarify for me—and again, I apologize; I'm relatively new at all of this. When you have something like the sewage treatment plant, why would existing legislation not already cover this?

Mr. James Flagal: Because existing legislation is purely discretionary in nature. What I mean by that is, when you go and apply for a particular sewage treatment plant approval, the director can put what conditions the particular director is going to put in, and all of those are subject to appeal to the Environmental Review Tribunal.

If the director decided, "We are going to put in a policy saying that we're going to reduce the sewage treatment plant loadings by 50%," and if the particular proponent decided, "Well, that's unfair," they could go to the tribunal and argue and say, "That's unfair. Where's the policy for this? Where's the backing for this?"

What happens in this particular case is, it's such an imperative to basically reduce pollution loadings in that particular plant—just like what happened—it's basically a policy coming in and saying, "No, it is the policy that you have to reduce your loadings by 50%, and that is going to be the direction for these particular sewage treatment plants."

In that respect, because those plants have been identified as something that needs to be reduced, that's what the policy has the authority to do.

Mr. Bill Walker: So you're kind of, I think, clarifying a little bit of why I have the concern. If I heard you correctly, you're suggesting that there is an appeal process, that a proponent or an opponent can come back and say, "I'm concerned. I have these issues." You have a body already built. You have legislation that's already there to deal with this. So if we're doing governance properly, you should have that appeal process; you should be able to have the discussion.

We're all doing our best to preserve and conserve and sustain our Great Lakes. I'm concerned that this one actually can be more prescriptive and say, "We have a special interest group that says, 'We want to do this,' and you shall abide by this," regardless of what the consequences are to that group that has to implement it.

I become very concerned when particularly there's a guardians' council that is now going to be yet another body that can come in and have more concern, more power than the actual legislation.

Mr. James Flagal: Once again, this particular type of document is no different—is very similar to other types of provincial plans. Oak Ridges moraine, for instance, is a type of plan that, as you know, once it's put in place, Planning Act decisions need to conform to that particular plan. So if it says you can't have development in a particular area, then the municipal planning decisions need to conform to that plan.

Mr. Bill Walker: And when—

Mr. James Flagal: So that's why in this particular respect—I'm so sorry—it's a similar sort of thing where there is this higher level policy that has basically dictated the conformity standard, that this policy needs to be

followed because there's this important sort of policy objective that's being sought.

Mr. Phil McNeely: Point of order, Chair.

Mr. Bill Walker: So can you clarify in your process, then—

The Chair (Mr. Peter Tabuns): Excuse me, Mr. Walker. I have a point of order from Mr. McNeely.

Mr. Phil McNeely: The discussion and questions here are not pertinent to the motion that we're talking about. It's on another subject. I would like to call the question.

Mr. Bill Walker: I would suggest—

The Chair (Mr. Peter Tabuns): I'm afraid I won't accept that. It does relate to the question of pollution and the determination of duplication. Mr. Flagal has been pretty clear in describing what's before us and what isn't. When the floor is gone, if you wish to make that motion, I'm happy to entertain it, but I don't think it's a point of order.

Mr. Bill Walker: Thank you, Mr. Chair. Actually, I find that a little bit interesting. I'm only going to make a decision if I have the information to make the best judgment that I can. So I believe this is absolutely pertinent to me being able to do this and to understand the intent and, in fact, the actual impact that this is going to have, once we make a decision.

Thank you very much for your points so far. I do have one further one. Will your amendment include an appeal process? Because what I'm hearing is, in our existing, we have an appeal. I want to ensure that, again, is there an ability, or is this going to be a very prescriptive "we shall say" and "you shall do"?

Mr. James Flagal: Nothing in this appeal takes away the appeal right in this provision. This is a purpose provision. In this legislation, nothing takes away appeal rights. Nothing does. Appeal rights still exist to the tribunal, and the tribunal will have before it, if there's a GFI with this type of policy before it as well—so, nothing does.

The final thing is, there are motions later on that deal with this whole issue of duplication—how to make sure that the GFI does not duplicate—and those can be spoken to, and that's where that kind of substantive sort of provision should likely be.

Mr. Bill Walker: Thank you. And just a further point of clarification: You referenced in there the Planning Act, perhaps just as an example, but it's back to my understanding of this. If this amendment was accepted and the legislation was to go through, can this supersede the Planning Act? Will this supersede the Planning Act?

Mr. James Flagal: I'm not sure if I understand this, because it's not the Planning Act per se that's being superseded. It's smaller. It's decisions under the Planning Act. I guess when I say it's not being superseded, it's a policy—if you're talking about the particular act versus other acts and that stuff, there's conflict—but just quickly, nothing is superseding the Planning Act. It works through the Planning Act. If there is a decision that is going to be made under the Planning Act by a planning body, and there is a GFI in place, their decision would

need to conform to that particular policy, if there's a Planning Act policy.

Mr. Bill Walker: Sorry, conform to the Planning Act requirement or to this legislative requirement?

Mr. James Flagal: The provision says that decisions under the Planning Act need to conform. This is similar to the greenbelt, Oak Ridges and other legislation where you have a document in place, and it can basically specify policies to which decisions under the Planning Act need to conform. So that's very similar to other pieces of legislation.

Mr. Bill Walker: I'll pass to my colleague, to see if there's anything further.

Mr. Michael Harris: I just have a quick question. What section of the act actually deals with the appeal process within—

The Chair (Mr. Peter Tabuns): Mr. Harris, we're talking about—

Mr. Michael Harris: I just—okay, I'll have to—

The Chair (Mr. Peter Tabuns): How does this refer to your amendment?

Mr. Michael Harris: Well, he brought it up in his comments, so I want to just clarify what section of the—
Interjection.

Mr. Michael Harris: Sorry?

Mrs. Donna H. Cansfield: We're just on the amendment to the amendment.

Mr. Michael Harris: All right. I'll ask him later, then.

The Chair (Mr. Peter Tabuns): I don't see any further discussion.

On the subject of Mr. Harris's amendment to the amendment, all those in favour? All those opposed? It fails.

We go back to the original amendment.

Mr. Jonah Schein: Thank you, Chair. I'd just like to speak briefly to the original amendment, and I think it is important to explicitly [*inaudible*] reductions as part of the purpose of the act.

I won't take much time to comment, but for people who are visiting today, I would like to be clear about what's happening here today, which is that we have a government that has failed to move this important legislation through. It was first introduced months—over a year ago, in fact. We had a big photo op down at Lake Ontario, and nothing has moved here. They have not called it forward for debate for months and months and months, and they're trying to rush it through, and they've bungled their own agenda, and we have an opposition party here—

The Chair (Mr. Peter Tabuns): Mr. Schein?

Mr. Jonah Schein: Yes?

The Chair (Mr. Peter Tabuns): Please speak to your amendment.

Mr. Jonah Schein: Thank you. Just to be clear, this is going to move very, very slowly, and I do apologize. Just be patient, because we're committed to moving this act forward and getting these amendments through.

The Chair (Mr. Peter Tabuns): Any further discussion? Seeing none, all those in favour?

Mr. Michael Harris: Excuse me. I'm just wondering if we can take a 20-minute recess to go through this amendment with our colleagues.

The Chair (Mr. Peter Tabuns): Yes, it's before the vote. You have the right to ask for a 20-minute recess.

The committee recessed from 0842 to 0902.

The Chair (Mr. Peter Tabuns): The 20-minute recess having come to a close, we are now on the vote.

All those in favour of the amendment, please raise your hands. All those opposed? The amendment is carried.

Amendment 2—

Mr. Phil McNeely: Mr. Chair, we withdraw this motion. It's identical to motion 1, which we just passed.

The Chair (Mr. Peter Tabuns): Thank you. We go to amendment 3, a government motion.

Mr. Phil McNeely: I move that paragraph 4 of subsection 1(2) of the bill be struck out and the following substituted:

“4. To advance science and promote the consideration of traditional ecological knowledge relating to existing and emerging stressors, such as climate change, in order to improve understanding and management of the Great Lakes-St. Lawrence River Basin.”

The Chair (Mr. Peter Tabuns): Any discussion? Mr. McNeely?

Mr. Phil McNeely: This motion would modify the purpose of the act to promote the consideration of traditional ecological knowledge. This motion would recognize that traditional ecological knowledge, in addition to Western science, can provide a valuable source of information to support decision-making. The motion responds to the requests from First Nations and Métis communities and environmental organizations.

The Chair (Mr. Peter Tabuns): Any further discussion? Mr. Harris?

Mr. Michael Harris: Yes. I'll just re-emphasize the fact that it is important to ensure that science really guides our decision-making. Far too often, we see that politics guides the decision-making process when it comes to protecting our environment. We need to balance the environment, again, as what I had said before, with the economic ones that are out there.

I also think it's important that we work with our First Nations and Métis communities to understand their perspective on how traditional ecological knowledge can help us understand our environment. I noticed my colleague had just asked if there was a submission by the Chiefs of Ontario and aboriginal, First Nations, and Métis groups. I said there wasn't, because they did protest this process of the government really ramming this through the Legislature.

I think it's an important question of the ministry to ask what process they undertook through the process of not only Bill 100, but Bill 6, in consultation with First Nations, to get their feedback on such an amendment,

such ecological knowledge? I don't know if the ministry official could answer that question—

The Chair (Mr. Peter Tabuns): You are asking? Okay.

Mr. Michael Harris: I am asking them to tell me—

The Chair (Mr. Peter Tabuns): Mr. Flagal, could we have you—

Mr. Michael Harris:—what process they undertook.

Mr. Phil McNeely: I can respond to that partly, if—

The Chair (Mr. Peter Tabuns): If everyone's agreeable—Mr. McNeely, if you could respond to that question on the part of the government?

Mr. Phil McNeely: The proposed legislation recognizes that First Nations communities maintain a spiritual and cultural relationship with the water. The proposed act already incorporates requests from aboriginal peoples in five important ways.

The preamble of the proposed act recognizes the aboriginal communities within the Great Lakes-St. Lawrence basin and that they have important connections to the basin.

The guardians' council: The proposed act requires that the Minister of the Environment invite, as appropriate, representatives of the interests of aboriginal communities to be part of the guardians' council.

Opportunities for engagement on initiatives: First Nations and Métis communities would be engaged on the development and implementation of geographically focused initiatives.

The proposed act states that nothing in it “shall be construed so as to abrogate or derogate from the protection provided for the existing aboriginal and treaty rights of the aboriginal peoples of Canada as recognized and affirmed in section 35 of the Constitution Act, 1982.”

The proposed act will recognize that “First Nations and Métis communities that have a historic relationship with the Great Lakes-St. Lawrence River Basin may” contribute “traditional ecological knowledge for the purpose of assisting in anything done under” the proposed act.

So there have been discussions with the First Nations and the Métis communities throughout the process of developing this legislation.

The Chair (Mr. Peter Tabuns): Thank you, Mr. McNeely.

Mr. Michael Harris: While I appreciate Mr. McNeely's answer, my specific question, and I hope that the ministry will be able to answer this, is actually the consultation process, before the bill was tabled in the Legislature, pertaining to First Nations and the traditional ecological knowledge that they would bring to the table.

As I mentioned, the Chiefs of Ontario have protested this bill by not submitting a submission, because of the lack of consultation. So I'm asking the ministry to explain what consultation process occurred with them before the bill was tabled, not with specifically what's in the bill.

Mr. Phil McNeely: I think their protest, Chair, was in relationship to notification on the presentations, which

occurred, I think, last week. This has been consistent right through the process, that consultations have been had with First Nations. They were protesting not having enough time to make a presentation.

Mr. Michael Harris: Again, I appreciate your answer with regard to notice for last week, but I'm talking about the consultation that the ministry had with the First Nations community pertaining to development of the bill, surrounding the traditional ecological knowledge that they could and can provide. So I ask the ministry to come before the committee and explain that to us.

Chair, I don't know if you can—

The Chair (Mr. Peter Tabuns): No. If I could ask—

Mr. Phil McNeely: We had 10 meetings, Mr. Chair, during the process. It's a continuous process that the government has been keeping the First Nations communities involved. This one issue of not having sufficient time on the notice for last week's meeting was acknowledged by the ministry.

The Chair (Mr. Peter Tabuns): Thank you, Mr. McNeely. Mr. Walker?

Mr. Bill Walker: Could I ask for a little bit of detail of what you're suggesting traditional ecological knowledge would be? What would constitute that?

The Chair (Mr. Peter Tabuns): Ms. Cansfield?

Mrs. Donna H. Cansfield: I'd just like to share with the committee, if that's possible, that the idea of ecological and traditional knowledge has been an ongoing issue, certainly when I was Minister of Natural Resources, with the Mohawk First Nation in particular—I'll use that example—in the St. Lawrence River basin. As a matter of fact, there's an international organization that has been, for some years, currently looking at the value of that knowledge as it pertains to natural resources around the world, and the value of aboriginal First Nations' basic knowledge and how they can work together.

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This has been an ongoing process for many times. Often, the relationship—whether it's dealing with fisheries, hatcheries, whether it's dealing with traditional hunting, whether it's dealing with herbs and plants. The First Nations have been very involved in the promotion and how it can be a part of working with, whether it's invasive species or existing species, protection of species, and in particular for the Great Lakes, because they realize how important this is because they have such a strong interest in the basin and the water itself, because they are the protectors of the water. So this has been an ongoing conversation, discussion, if you like, with the First Nations for the last 10 years that I've been involved in this government.

Mr. Bill Walker: Thank you very much. It's very helpful to have someone of your knowledge, history and experience, me contrasting the other way, being the new guy on the block. I don't have all that history, so that's helpful, Ms. Cansfield.

The question I guess, then, for me, and I run into this often in my riding when it comes back to some of the constitutional treaty types of concerns, is how binding it

is. Sometimes I think, as much as all of us I believe want to respect and honour the intent and the spirit of those treaties, again, what's the reality of how much it can actually bind the ability to move forward in today's world, and how we can ensure that we're working in partnership, in tandem with First Nations to conserve and preserve and sustain our watersheds without actually negating that there's some old clause from 100 years ago that we're still trying to deal with. The world has changed. We have a lot of different environmental impacts we have to deal with that 100 years ago or 125 years ago we didn't have.

So can you provide some clarity for me and some assurance that there's nothing that's binding in there? Using fairly vague words: "for consideration of"—well, what does "consideration" mean? One of the concerns that I certainly have, and some other First Nations, is "the duty to consult," and yet we can never get a definition of what "consult" truly means. I just don't want us to go down a path again where we're putting in vague words and down the road, once the legislation, if and when it's passed—that we're actually going to come back and say, "What does that mean?" and now we're in a bind where we can't move forward because we didn't define enough of those vague words.

Mrs. Donna H. Cansfield: If I may, I'm just going to say in response that certainly the whole value around the issue of water with First Nations is paramount; it's absolutely paramount. The relationship, certainly, that I have had over the years in terms of traditional knowledge has been absolutely essential in development of policies, especially around the water usage and especially around Great Lakes, because the fisheries are just as important to them as to us. As you know, Lake Erie is the largest freshwater commercial fishery in the world, so it's important to be able to know and understand that knowledge and to incorporate it into good policy-making. I have not had a situation where that has not been supported throughout in the discussions. Are there broader federal issues? Probably, but I've always found that the First Nations are very willing and supportive of sharing their knowledge and we, as governments—all governments, I suspect—are very receptive of that knowledge in terms of promoting good policy for fresh water, because we all rely on that water; 80% of it is our drinking water. So their knowledge is essential.

It has never been an issue that I've been aware of. I appreciate, as I said, the broader federal issues, but I see them very supportive and very involved in good policy-making. I understand there was an issue more about date, and if you actually read the letter from the First Nations, they always say they're very cooperative. They want to get involved. They just had a challenge around the date, and they've asked for more hearings.

Mr. Bill Walker: I certainly appreciate and, again, acknowledge your experience in the ministerial roles you've held. Certainly, in some local issues, I haven't always had that exact same, and there's lots of talk about the spirit of cooperation and "we want to." But at the end

of the day, coming to the table doesn't always work that way. All I'm trying to do is safeguard all of the people of Ontario so we don't go down a road where vagueness of words allows us to do nothing about actually making change. So I want to ensure that. I believe that's where my colleague was really going, too, with his question.

I would ask yet again that the ministry provide further detail of the type of dialogue and what specific issues they brought up so that we're addressing those and so that we don't get ourselves in a position where we pass legislation and have to retract back because we didn't do proper consultation.

Mr. Michael Harris: Chair, I don't know why—

The Chair (Mr. Peter Tabuns): Just one second. Mr. Walker has asked a question. Is there a response?

Mr. Phil McNeely: Well, Chair, we have been working with the First Nations in traditional ecological knowledge workshops. There has been a lot of consultation with the First Nations, and traditional ecological knowledge provides value in understanding the species, ecosystems, sustainable management, conservation use. We feel that we've been doing a lot of work there.

Mr. Bill Walker: To the ministry staff specifically: Did they provide a definition, a black-and-white definition, of what "traditional ecological knowledge" means?

Mr. Phil McNeely: I would have to ask staff that.

Mr. Bill Walker: I'll repeat the question, Chair?

The Chair (Mr. Peter Tabuns): Yes.

Mr. Bill Walker: To ministry staff, in your discussions, in your consultations, in your briefings, did you receive a definition of what "traditional ecological knowledge" defines? If so, would you please provide it?

The Chair (Mr. Peter Tabuns): Mr. McNeely?

Mr. Phil McNeely: Traditional ecological knowledge is accumulated, living knowledge built upon the historic experience of the aboriginal peoples, and we've done that consultation with them.

The Chair (Mr. Peter Tabuns): If Mr. Walker is finished, I have Mr. Schein, who has been trying to get in. So Mr. Walker?

Mr. Bill Walker: Thank you for that. That still is pretty vague in my world, if we get into a situation where we're going to have to debate what that really means and what we're being bound by. Legislation that we put in place for this province has to be very clear and very clearly articulated so that there's no grey area in the middle. That's my concern with some of this: It's very vague. Some of our people who have made submissions—that's one of their biggest concerns: the vagueness. In some cases, they're talking about targets. They talk about the word "target," but they don't put an actual quantifiable target.

I'm not trying to be problematic here. I'm just trying to ensure that we represent the submissions that we've received and ensure that we have clarity and that we have definitions so that all of us can walk out of this room and say, "We did our due diligence. We do understand exactly what the spirit of the intent was, and we've defined it in a very black-and-white manner." I still find

that that definition that was just provided is still pretty vague, if we get into a situation where someone challenges it down the road.

The Chair (Mr. Peter Tabuns): Okay. Thank you very much.

Mr. Schein.

Mr. Jonah Schein: Thank you, Chair. This is a motion that we support, and I'd like to call the question.

The Chair (Mr. Peter Tabuns): Well, you get to say one thing or you get to call the question; you don't get to do both. So I hear that you support it. You'll have to put your name down on the list for when I come back around.

Mr. Michael Harris: Chair?

The Chair (Mr. Peter Tabuns): Mr. Harris.

Mr. Michael Harris: Again, while I appreciate the government's answers on the consultation, I think it is important to clarify and get the ministry staff to come forward to the committee and explain the consultation process that occurred. As I had mentioned, the Chiefs of Ontario have protested this bill by not providing a submission because of the lack of consultation.

Now, I know the parliamentary secretary was not the parliamentary secretary when the initial Bill 100 was brought forward to the House, so it actually precedes him with regard to this. I'm curious as to why the government will not allow the ministry to come forward and answer that simple question that I have, to clarify. I know that you've got it in it, but I'm asking what consultation process happened with First Nations groups prior to the bill being built?

Mr. Phil McNeely: Chair?

The Chair (Mr. Peter Tabuns): Mr. McNeely.

Mr. Phil McNeely: In response to that, we held 14 listening sessions prior to introducing any legislation with municipalities, First Nations and Métis communities and stakeholders from the environmental, tourism and agricultural sector throughout the Great Lakes basin. We conducted six stakeholder workshops after proposed legislation was introduced in 2012 in communities in each of the lakes. We also held over 17 focus meetings with our Great Lakes partners, including AMO, conservation authorities, Conservation Ontario, environmental groups, industrial developers and the public. We held four First Nations and Métis engagement sessions after the proposed legislation was introduced in 2012. There has been a great deal of consultation with the First Nations, and the wording in the act reflects that.

Mr. Michael Harris: All right. My next question to you, then, would be: Why is the government not allowing the public servants to come before this committee and answer the questions that I have? Can you answer me that question?

The Chair (Mr. Peter Tabuns): You can ask, but—

Mr. Michael Harris: Did I get an answer?

Mr. Phil McNeely: Can we call the question?

The Chair (Mr. Peter Tabuns): Actually, Ms. Damerla was ahead of you on that, in terms of the speaking order.

Mr. Michael Harris: So I didn't get an answer.

The Chair (Mr. Peter Tabuns): You asked; you didn't get an answer.

Mr. Damerla.

Ms. Dipika Damerla: Chair, I'd just like to say that the parliamentary assistant is the government, and he is here to respond to any questions you have, and he's doing an excellent job. So I don't see what the issue is. But the bigger issue is, I echo MPP McNeely's suggestion that we call the question to a vote.

Mr. Bill Walker: Chair, can we have a recess to be able to consult before we do our vote?

Ms. Dipika Damerla: Chair?

The Chair (Mr. Peter Tabuns): We don't have a vote called yet. I have to see if there's further debate.

Is there further debate? None.

Ms. Dipika Damerla: But I would like to make a point, and I'd like it to be in the record that it's the second time they're asking for a 20-minute recess. There is, Chair, I believe, a fine line, or actually quite a clear line, between thoughtful deliberation and foot-dragging. What we are seeing from the opposition today is essentially doing everything they can to stall the passage of this bill—

The Chair (Mr. Peter Tabuns): Ms. Damerla—

Ms. Dipika Damerla: Let me finish. I want this on the record, Chair. You know, this bill was passed six weeks ago. The opposition didn't show up for subcommittee meetings on three different occasions, and we're very disappointed.

The Chair (Mr. Peter Tabuns): Ms. Damerla, I have a point of order called.

Mr. Michael Harris: On a point of order, Chair, with regard to standing order 23(i), the member is imputing motive, which I believe is against the standing orders.

The Chair (Mr. Peter Tabuns): She is making an argument, and frankly she needs to wrap up the argument.

Ms. Dipika Damerla: Thank you, Chair. Just to finish my thought, this bill passed second reading six weeks ago. We could have been doing this in committee six weeks ago; the opposition didn't show up for subcommittee three times. So we take real exception to the idea that the government was holding this back. We'd like to just get it done. Thank you.

The Chair (Mr. Peter Tabuns): You're not speaking to the amendment. Mr. Walker?

Mr. Bill Walker: Mr. Chair, in fairness to myself on this committee, we just received some of these submissions Monday afternoon. My job is to represent the people, the constituents of Ontario, certainly those that have concerns with the legislation, regardless of how long it has been tabled and how quickly the government wants to expedite this and steamroll it through, despite our concerns that there's already legislation that could be doing the work that this is supposedly going to do. I think it's only appropriate that we actually have time to consult with my colleagues and ensure that I understand what I'm going to be voting on.

The Chair (Mr. Peter Tabuns): If there is no further debate, I will go to the question.

Mr. Bill Walker: I would ask for a 20-minute recess to be able to review, Chair.

The Chair (Mr. Peter Tabuns): A 20-minute recess granted.

The committee recessed from 0922 to 0942.

The Chair (Mr. Peter Tabuns): The meeting will come to order. We will go to the vote on amendment 3.

All those in favour? All those opposed? It's carried.

Shall section 1, as amended, carry? Carried.

Section 2: Shall section 2 carry? We have no amendments. Carried.

Section 3: We have PC motion 4.

Mr. Michael Harris: Subsection 3(1) of the bill: I move that the definition of "designated policy" in subsection 3(1) of the bill be struck out.

The Chair (Mr. Peter Tabuns): Any discussion? Mr. McNeely?

Mr. Phil McNeely: The government does not support this motion. This definition is needed in order to provide for legal effects of policies. Legally effective policies are necessary to coordinate consistent approaches across the watershed and to address cumulative impacts. This definition is similar to that found in the Lake Simcoe Protection Act, which all parties supported. We have heard through our consultation of the need to take action in the Great Lakes through new tools. This motion would remove these tools.

The Chair (Mr. Peter Tabuns): Thank you. Further discussion? Mr. Harris?

Mr. Michael Harris: Thank you, Chair. You know, it's funny that the member mentioned the Lake Simcoe act, because that was actually dealt with through the Legislature. What really troubles me about this piece of legislation is that it sets up a process to create massive provincial policy changes without the say of the Ontario Legislature.

The massive changes that can be implemented using designated policies under the proposed act should be dealt with in the Legislature, just like, as the member mentioned, the Lake Simcoe act. That was an act that the government put forward. They actually stole legislation of a private member, Garfield Dunlop, and made it government legislation, but they actually used the legislative process to deal with such an important issue.

Although some may not agree with this law, the comprehensive policy changes undertaken in the legislation were dealt with in an appropriate manner, because the people's representatives—that being us—at Queen's Park were consulted and made the decision on the matter on behalf of the people. But of course, here we are today watching the Liberals attempt to pass a bill, with, of course, the enthusiastic support of the NDP, to centralize power to the executive.

I think the NDP should be concerned about that, the centralization of those decision-making powers. In fact, I'm obviously very, very surprised by the NDP's position on the matter. As the third party, I would think that

they'd want to create a process that wouldn't actually block them out of the decision-making process. I go on to say that they're likely more than willing to forfeit their voice to the Liberals or the executive committee, and I'm not sure if there's maybe more of a formal coalition agreement that we don't know about here, but it would seem—

Ms. Dipika Damerla: Chair?

The Chair (Mr. Peter Tabuns): Ms. Damerla.

Ms. Dipika Damerla: I have a point of order. If I could ask, under section 23, I believe, that MPP Harris speak to the amendment being proposed and not cast aspersions and—

Mr. Michael Harris: Oh, I'm speaking directly to the—

Ms. Dipika Damerla: No, you're not.

The Chair (Mr. Peter Tabuns): Ms. Damerla, I think, does have a point, Mr. Harris. If you could focus on your amendment.

Mr. Michael Harris: Well, I'll reiterate, then, my amendment of striking the designated policy definition, and it's because this legislation sets up a process to really create massive provincial policy changes without the say of the Ontario Legislature. That's why I'm striking this "designated policy," because these changes could be implemented using the designated policy, so I'm concerned about that.

As the member had mentioned, the Lake Simcoe act that was brought before the Legislature, I believe that is the process by which major initiatives should be brought forward to the Legislature, allowing an opportunity for Ontarians to be able to go through the legislative process and not centralize the decision-making abilities at the executive committee, which the NDP are supporting. I find that troublesome; my constituents do. That's why I'm proposing to strike the "designated policy" definition out of the bill. As I was saying—or at least we think that representative democracy is important—

Ms. Dipika Damerla: Chair, a point of order.

The Chair (Mr. Peter Tabuns): Excuse me. Ms. Damerla?

Ms. Dipika Damerla: Chair, I don't believe that MPP Harris is adding anything new to his argument. He has made his point, and he's repeating the same thing. It's a circular thing. There are no new ideas coming out of that, so if you could please—

The Chair (Mr. Peter Tabuns): Ms. Damerla, I will continue to listen, and if I see ongoing repetition, fair enough, but for the moment—Mr. Harris, please continue.

Mr. Michael Harris: I want to reinforce the reason why I'm proposing this amendment. This is a major part of this. If you look back to the initial stages of the Lake Simcoe act that the member referenced and the processes by which that was brought forward—we're talking about making substantial changes or initiatives within the act, and I'm just saying that those initiatives should be brought forward to the Legislature, as the Lake Simcoe

act. The designated policy would basically forfeit those initiatives from coming through the legislative process.

I think it's important that we not sit here and attempt to create a legislative process outside of the Legislature. Any initiatives developed with municipalities, stakeholders should be brought to the Legislative Assembly as a bill. It should be debated in the Legislature, giving stakeholders a proper venue or opportunity to have their say, to be debated and be passed in this House.

Again, my amendment would be removing that definition to centralize the decision-making and remove the legislative process and the members from the whole outcome, similar to what went through with the Lake Simcoe act.

I guess on that note, and I'm happy to ask a question of the ministry really, asking them why they added this "designated policy" in? What difference—not what difference but to educate the members, including my colleagues, on why they've added this "designated policy" into the bill, unlike using the Lake Simcoe act and the legislative process. Why now use this versus the Lake Simcoe act? So I'd have that question of the ministry as to why that process was used now, unlike the Lake Simcoe act?

The Chair (Mr. Peter Tabuns): Would the government like to respond?

Mr. Phil McNeely: Well, the Lake Simcoe Protection Plan is enabled by the act. The plan is approved by cabinet. The identical process is proposed here. The act requires extensive consultation already, lots of checks and balances. The act is bottom-up; it involves local groups. This definition is similar to that found in the Lake Simcoe Protection Act, which was supported by all parties. We have heard, through our consultations, the need to take action on the Great Lakes through new tools. This motion would remove those tools necessary for those interested in cleaning up the Great Lakes.

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Mr. Michael Harris: Again, my question was, those designated policy initiatives would come before or would be identified typically—as in the case of the Lake Simcoe act, it was brought forward to the Legislature. Why now circumvent that process and not use the legislative process to deal with those initiatives? Why wouldn't those initiatives be brought forward through the assembly? Why wouldn't they do that?

Mr. Phil McNeely: The Lake Simcoe Protection Plan is enabled by the act. The plan is approved by cabinet. The identical process is proposed here. It's the same as in the Lake Simcoe act, which had all-party support. It's effective if we can do something through that methodology, not by taking all the tools away.

Mr. Michael Harris: My question, though, is on the specific initiatives and the reason for the designated policy. We're talking about initiatives that could be across the province, not focusing in on initiatives similar to the Lake Simcoe act. We're talking about, potentially, initiatives across the province, and this bill allowing for several initiatives to occur or be brought forward,

circumventing the legislative process altogether. I'm questioning why that was inserted into the bill and why we wouldn't use the legislative process to further those initiatives similar to the Lake Simcoe Protection Act, because in this case, as I've said, this would allow for several initiatives to occur similar to the Lake Simcoe Protection Act, but they would circumvent the Legislature altogether. That's why I was asking for clarification from the ministry as to why that designated policy is in Bill 6.

Mr. Phil McNeely: We believe these tools should be kept, Chair, and I'd like to call the question.

Mr. Michael Harris: Of course they would.

The Chair (Mr. Peter Tabuns): Mr. McNeely, I have been advised that if there is further debate, we continue on. And generally speaking, Mr. McNeely, if you're calling the question, just say, "Call the question," rather than jump in, make remarks and then throw it in at the end.

I have Mr. Schein.

Mr. Jonah Schein: I'd like to call the question.

The Chair (Mr. Peter Tabuns): Mr. Schein does want to call the question.

Mr. Bill Walker: Chair, I have further debate.

The Chair (Mr. Peter Tabuns): The question has been called and we can vote on that.

Mr. Michael Harris: No, we still have an opportunity to debate.

Interjection.

The Chair (Mr. Peter Tabuns): Oh, I'm overruled. Go ahead, Mr. Walker.

Mr. Bill Walker: Thank you very much. Similarly to my colleague, I'm struggling a little bit here. I'm reading a document, a submission from the OFA. They bring up very specific concerns. My colleague Mr. McNeely has suggested they're identical, but if you read this document, their concern is that there is very similar language used; however, the aerial extent of the Great Lakes-St. Lawrence River basin is far more extensive, and consequently, a commitment to strive for continuous improvement of the basin's ecological health rather than its restoration would be a more reasonable objective.

I think they're bringing to light the same concerns we have: If you don't have very black-and-white, crystal-clear definitions, then you can sometimes put yourself in a situation where you've passed legislation that is very challenging and very daunting to the people who have to actually execute it.

I want to understand a little bit more why they're trying to move this. My understanding of the Lake Simcoe act is there was very much a standard legislative process used, and now what we're trying to suggest is we're going to move this Great Lakes act to be enabling legislation, which gives all the power to cabinet, so it doesn't have to come through the House; they can set all the requirements of that legislation and just move forward.

Very similarly, they talk about these environmentally sensitive areas or whatever the acronym we're using for

them is. I think we're moving away from the democratic, and I would like to understand why we're not doing it identically to the Lake Simcoe act. If it worked so well, and I'm being told it was a very good piece of legislation, why is it not identical? Why are we trying to move it forward as enabling legislation rather than standard legislation, Mr. Chair?

The Chair (Mr. Peter Tabuns): I'm sorry, Mr. Walker. You had a question?

Mr. Bill Walker: Yes, I'm just going through the Chair to the government. I need some further clarification. Mr. McNeely said it's identical, and I want to just make sure that we're clarifying—I'm a big stickler for detail and clarification. It is not identical because the former Lake Simcoe act was standard legislation. It went through the whole House. It was debated in the House. The legislation was set by the House. This legislation, I'm being led to believe, is enabling legislation, which gives—all the power is vested in cabinet. Yet the people who are going to have to execute whatever these directives would be, like a municipality, are going to be bound by this.

The OFA very specifically is saying, "We have concerns with this." They want some definition. "Phrases such as 'protection and restoration of ecological health' and 'protection and restoration of natural habitats and biodiversity' may imply that the objective is to replicate pre-European settlement conditions, or conditions from an even earlier era."

I brought this up earlier. We've moved on. We can't be taking everything as if it's 125 years ago. The environment has changed. The variables that go into our environment have changed, and yet we're trying to utilize language that allows us to go back and replicate, and that's very scary, because what's the cost? And they raise a very significant concern about the cost in these notes.

I'm now referring to the Ontario Headwaters Institute. They're talking very much about things that are going to happen if we consider the creation of geographically focused initiatives—that's the acronym I was trying to find earlier—similarly, unnecessarily, "without indicating how these areas will be different from, co-operate with, and be funded vis-à-vis remedial action plans, lake management plans, watershed management plans, local area regeneration plans, and" the designation of "priority watersheds."

When we use these vague terms—and I believe that's very specific to what the OFA's submission is about—we're again setting ourselves up, and I'd like either the government themselves or a ministry representative to explain to me why, when they say it's identical, it's not identical. It's enabling legislation as opposed to standard legislation. So let's just be clear and give me that definition so I can make a better determination if it truly is identical.

The Chair (Mr. Peter Tabuns): Do you have anything further to say?

Mr. Bill Walker: Well, I would like that response. I'm asking a question for further clarification, Chair.

The Chair (Mr. Peter Tabuns): Ms. Cansfield?

Mrs. Donna H. Cansfield: I just wanted to make a comment that virtually all legislation passed in this House currently, previously and decades ago is enabling legislation. All legislation is enabling legislation. When legislation is put together, it's put together, and if you go through this bill, you see that the consultation processes are put in place, relationship-building is put in place, that people sit at the table. You can ask the lawyers if you'd like, but all legislation that goes through this House is enabling, by virtue of the fact that you then go through and you produce regulations and additional support for that. It's enabling.

It enables you in this case, for example, to use existing legislation so that the policies—that's why it says "designated," to ensure that it's legally binding, that the existing toxics act actually has to be used. That's the enabling part, and that's what the legislation is doing. So it's really no different than any other part of legislation in this House.

Mr. Bill Walker: Thank you for that, and I'm going to defer to my colleague in just a second, but I do have another further point of clarification. So why are we vesting all power in cabinet? If the legislation for the Lake Simcoe act works so well and we went through the normal governance process to bring it through the House so all 107 representatives can do their due diligence to represent their constituents who put them into this very hallowed hall, why are we, in this case, changing it to only give the power to the cabinet? I find that very daunting, and I find it strange that, again, the NDP would support this, because typically in the House they're standing up and suggesting that they want to speak on behalf of their constituents.

This piece of legislation seems to me that there's a backdoor alley that we're trying to get into so that the cabinet can come out and say "we shall" and "you will."

From a municipal perspective—obviously who we represent greatly at these tables—that directive is going to come out with no consequence to the cost to implement and execute and be accountable for.

So I have a fundamental concern that this legislation is different, and the approach to governance maybe is different from the perspective of, "Why are we giving it all to cabinet?" Then you go to the guardians' council, so we're giving yet another unelected body the ability to set direction and to set directives, and I, as a duly elected representative, am going to have no say in that whatsoever.

The Chair (Mr. Peter Tabuns): Ms. Cansfield?

Mrs. Donna H. Cansfield: If I may respond. Actually, I think there are some amendments to deal with that issue later on, so you'll see, in fact, that you would have something to do with it.

But this act requires extensive consultation. This act requires people like the OFA to sit at the table. This act requires—it's a bottom-up act, so you cannot move forward without that consultation. I realize it's 70-

something pages of an act, but it's in there and it's very extensive.

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It's exactly what—well, the National Farmers Union, for example, is very supportive. The municipalities are very supportive. I can share with you that the farmers that I've been involved with on the stewardship program around shoreline restoration have had extraordinary results in terms of drainage and are very supportive of this approach.

I'm not suggesting that there aren't some challenges; there always will be, but the fact remains that this act is enabling. It's bottom-up and actually requires that consultation. It's written in the act and, as you see later on, it doesn't preclude—and there's also a definition around the issue of public bodies in the next amendment that's coming forward.

So we've tried to address exactly some of the issues that you've identified. I'm sure that as we get through this, you'll see that we have done that. Taking out the designated bodies actually removes the legal requirement to do the things that we want to be able to do in terms of consultation etc.

Mr. Bill Walker: With respect, Chair, I'm a little bit apprehensive to just accept that, because the Green Energy Act brings to light that there's not a lot of consultation and, in fact, they've taken a democratic right away right there from local municipalities, despite assurances that they would listen. They continue to say on the public record, "We will listen to democracy. We will respect democracy." And there's been not one iota of that act changed since Premier Wynne became Premier.

So I'm a little bit reticent to just take good faith and suggest that I'm okay with that. The OFA cites eight different acts that already regulate, protect and do all of these things, and there are five very specific ones within the Ministry of the Environment, the MOE, that in fact they believe is already giving the ability to do what they want to do with yet another act.

I remain unconvinced that this isn't going to usurp the normal legislative process and give power—once maybe perhaps an initial consultation has happened, the cabinet will have all control, and we will all be left to deal with what their directives are.

Mr. Harris, I'll defer to you.

Mr. Michael Harris: Yes, I think it's important to note that we're not saying that an initiative shouldn't have legal effect—that, we're clear on—but it should come before the Legislature like the Lake Simcoe Protection Act did. You're, in essence, allowing multiple Lake Simcoe acts to occur utilizing Bill 6—just to clarify that.

So I think it's important, and I need to ask the ministry lawyers why they created a process to create initiatives and its contents to be approved outside of the Legislature. That is a specific question for ministry lawyers as to why they created a process that would create those initiatives and its contents to be approved outside of the Legislature.

The Chair (Mr. Peter Tabuns): Could we have the ministry legal staff, then, come to the table? Could you state your name again for Hansard?

Mr. James Flagal: Yes, I can. It's James Flagal. I'm with the Ministry of the Environment's legal services branch.

This geographically focused initiative process is exactly what's mirrored in the Lake Simcoe Protection Act. The legislation before the Legislature at that point was enabling the cabinet to establish a plan, the Lake Simcoe Protection Plan. That draft plan came out after the legislation was passed—just soon after—and then, it was consulted on, the draft plan, and then it was made. So this is very similar here with respect to the geographically focused initiatives.

Mr. Michael Harris: In essence, though, you could have multiple Lake Simcoe protection acts within Bill 6 that would not come back to the Legislature for a final—

Mr. James Flagal: A geographically focused initiative could be established in any part of the basin or for the basin with a specific tool in order to deal with a particular issue—for example, like a nutrient loading problem, let's say, in a particular watershed.

Mr. Michael Harris: So you're saying that this process is actually similar to the Lake Simcoe Protection Act in creating a process to create those initiatives and its contents, and that would be outside of the legislative process?

Mr. James Flagal: That's right. The Lake Simcoe Protection Plan, as I said, was done after the legislation, and then there was extensive consultation on the plan. That's very similar, by the way, to Oak Ridges, the greenbelt etc., where the legislation establishes the authority for cabinet to establish some sort of plan.

The Chair (Mr. Peter Tabuns): Mr. Walker?

Mr. Bill Walker: Mr. Flagal, if I could have further clarification—again, I apologize, because I'm new at this, so I'm still learning lots.

My understanding of what you've just said with the Lake Simcoe legislation is, it was enabling. It allowed that legislation for a very specific area—in this case, the Lake Simcoe geographic area—to come before the Legislature and be debated. At the end of the day, obviously, that was agreed to by all three parties, we moved forward and that was set up.

My understanding of the way this legislation is being tabled is that you could actually set up, I'll say, eight, 10, 12 geographically specific areas, never coming to the floor of the Legislature to be debated. Cabinet could so choose, once this legislation is in place, to set up those eight, 10, 12, 25—whatever that number would be—with no consultation of other representatives such as myself, who may be impacted in representing my specific geographical areas. That's the concern that I continue to raise.

You're using the words "identical process," and yet I'm not certain that I believe it's identical, because, if I'm correct in what I'm hearing, the last one did come in front of the Legislature: The Lake Simcoe act did come

and have a discussion and a debate, and we moved forward.

I believe that, in this case, this legislation is going to enable cabinet to set however many geographic locations, and it will never come for debate at the table, because you already have the legislation to enable it. So it's not identical. I'm confused with your use of the word "identical," because I don't believe the process is going to be the same. That's a fundamental concern that we're trying to raise here. We need some assurance and clarification from you when you're using the word "identical." Either say it's not identical and clarify for me, or tell me it absolutely is and clarify for me—because I don't see them as two identical processes.

Mr. James Flagal: The question was asked of me whether or not the process itself was identical. If you're asking about the geographic scope—and that's what you're asking about now—the Lake Simcoe Protection Act was for the authority to establish a plan for the Lake Simcoe watershed. The authority in this particular act is to establish a geographically focused initiative in any part of the particular Great Lakes basin.

Mr. Bill Walker: Agreed, but my concern is that last one. You set the parameters of the Lake Simcoe area. The geographic area was debated in the House by 107 representatives, so everyone had the ability to represent their constituents.

It's very concerning for me that this legislation—how I interpret it is that you're going to be able to set as many geographically specific locations, with no consultation with the Legislature, with no debate happening in the Legislature. It's going to be rammed through, and the municipalities that are going to be impacted in those geographically identified areas are going to have to live with it, they're going to have to execute it, and there's no consideration in here, from my perspective, about what the financial consequences of those actions will be.

So I don't see that it's the same, because the last one, you debated what that geographical area—people agreed. They had the ability to come in and say, "I don't agree"; "I do agree"; "I want this provision put in."

If this legislation goes through, cabinet can come in and say, "I'm going to set up eight geographically sensitive areas. I'm going to move forward, and you're going to implement this in each of those areas." I see this as a fundamental challenge to my ability to do my job.

The Chair (Mr. Peter Tabuns): Mr. Walker, is that a question?

Mr. Bill Walker: Yes. I'm still seeking clarification, because he keeps continuing to say that they're identical. I'm not convinced at this point, with the information that he's providing me, that these are identical. So I either want him to admit that they're not identical and give me the clarification, or tell me they are and prove it to me, because I stand here not agreeing that they're an identical situation.

Mr. James Flagal: Again, the process for establishing a geographically focused initiative in the bill has extensive consultation requirements. The process for actually

getting the Lake Simcoe Protection Plan in place—the approval body—is the same. But when you're talking about "identical," this particular act has a different geographical scope compared to the Lake Simcoe Protection Act, so in that respect, they're not identical.

The last thing I would say is, there are a number of steps that you have to go through before establishing a geographically focused initiative, including a proposal stage which was not there in the Lake Simcoe Protection Act. I don't know if concentrating on the word "identical"—and I apologize—is that particularly helpful, because each act has its own process. This act has its own process set out for establishing something called geographically focused initiatives. In fact, there's two stops at cabinet that you have for this geographically focused initiative, versus Lake Simcoe, when you just had one.

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Mr. Bill Walker: Thank you. That is a little bit helpful. The other piece, then, though: Can you please tell me, yes or no, if cabinet so chose to identify a geographically sensitive initiative—

Ms. Dipika Damerla: Chair, a point of order.

Mr. Bill Walker: —are they able—

The Chair (Mr. Peter Tabuns): Excuse me, Mr. Walker. Sorry. I have a point of order on the floor. I'll deal with that, and we'll go back.

Your point of order is?

Ms. Dipika Damerla: Thank you, Chair. I'm just watching the clock. It's 10 past 10. We're still, I believe, only on motion 4—technically 3, because we withdrew one. What I'm trying to get at is, given that this is going to take a long time, I'm going to see if we can all write to the three House leaders' offices to see if we can over the holidays sit to debate this particular bill clause by clause, given that it's quite clear from the pace at which things are moving that we will not be able to wrap it up.

The Chair (Mr. Peter Tabuns): Give me one second. I want to consult with the Clerk on whether that's in order.

That's not a point of order. When this questioning is concluded, then I will come back to you. But that is not a point of order; it's a motion.

Ms. Dipika Damerla: I just want to make sure I'll have time to come back to it.

The Chair (Mr. Peter Tabuns): I understand the concern about time.

Ms. Dipika Damerla: Thank you.

The Chair (Mr. Peter Tabuns): Mr. Walker.

Mr. Bill Walker: If I could ask Mr. Flagal one more specific question related to this, it's a case of, again—I'm not trying to be pedantic and I'm not dragging this out. I'm here to do my job and I'm here to learn. I want to make sure that when I vote for something, I did understand it fully and I've done it with my best ability on behalf of the constituents that I'm duly elected to represent.

Can you just give me a yes or no answer to this question, and if I need to further elaborate because I'm not clear, I'm happy to do that. Does this act, as written

right now, provide for cabinet to define and direct a geographically—whatever that terminology is.

Mr. Michael Harris: Focused initiative.

Mr. Bill Walker: A geographically focused initiative, without it ever coming back to the Legislature to be debated? Can they say, “That’s going to be a geographically located initiative,” without it ever coming back for me as a duly elected representative to have any say on that designation? Yes or no?

Mr. James Flagal: Yes.

Mr. Bill Walker: Thank you. So my concern remains valid that we’re usurping the democratic process.

Thank you, Chair, and I’ll defer to my colleague Mr. Harris.

The Chair (Mr. Peter Tabuns): Mr. Harris.

Mr. Michael Harris: Yes, just one final point on the actual amendment itself. I think my colleague Bill Walker, through his questions, stated exactly why we’re proposing this amendment. I think the NDP should be concerned about the centralization of the decision-making ability through cabinet—

Ms. Dipika Damerla: Talk to Harper.

Mr. Michael Harris: Pardon me?

Ms. Dipika Damerla: Talk to Harper.

Mr. Michael Harris:—pertaining to this particular bill, because we would not have an opportunity then to debate specific legislation as was the case for the Lake Simcoe act. They could have eight to 10 Lake Simcoe acts within one without it ever coming back to the Legislature. That is why we’ve moved this amendment, and I think we’ve provided valid arguments as to why this motion should carry.

The Chair (Mr. Peter Tabuns): Okay, thank you.

Ms. Dipika Damerla: Mr. Chair.

The Chair (Mr. Peter Tabuns): Ms. Damerla?

Ms. Dipika Damerla: Thank you, Chair. I’m going to beg your indulgence to ask if, given the time we’ve taken to get to this point, in order to really get through all of the clauses, the committee could write a letter to all three House leaders seeking permission to sit for two full days during the holidays to go through clause-by-clause on this particular bill, the Great Lakes Protection Act.

The Chair (Mr. Peter Tabuns): Do we have agreement amongst all members of the committee for me to write that letter to the House leaders?

Mr. Michael Harris: No. A point of order, Chair: Referencing the member’s comments earlier that we can’t interrupt clause-by-clause to bring forward such—

The Chair (Mr. Peter Tabuns): Mr. Harris, you’ve registered your objection.

Mr. Michael Harris: All right.

Mrs. Donna H. Cansfield: Chair?

The Chair (Mr. Peter Tabuns): Ms. Cansfield.

Mrs. Donna H. Cansfield: Thank you very much, Chair. I wanted to make a couple of points because I appreciate your perspective. In fact, this act is no different from the Lake Simcoe Protection Act, because those geographical areas did not come back to the House for debate.

Mr. Michael Harris: But they were—

Mrs. Donna H. Cansfield: Excuse me. I know because I have property on Lake Simcoe. I know because there were identified geographical areas they had to deal with, especially with nutrients; that was not debated in the House. In fact, if you look at this act, it says that there will be in place—and if you read the act itself, on page 2, it identifies in 4(1), (2), (3), (a), (b), (c) and all the way through how the council must act, who must be the representatives, what are the checks and balances, how it comes back. It is exactly the same as Lake Simcoe in terms of, you debate the entire bill as it stands and then you go out and the bill has the checks and balances put in place; it has the representation put in place, who has to come, and it identifies it very clearly. It says, “environmental organizations, the scientific community and the industrial, agricultural, recreational and tourism,” and in fact there’s an amendment to put each member of Parliament, which is greater than what was on the Lake Simcoe Protection Act.

Mr. Michael Harris: I realize that, Donna, but—

Mrs. Donna H. Cansfield: Hang on.

The Chair (Mr. Peter Tabuns): Wait one second.

Mrs. Donna H. Cansfield: And so what I’m suggesting to you is, and I appreciate—I think that this is a really important piece of legislation. But I believe the suggestion that it is opposed to what’s happened in Lake Simcoe is fundamentally wrong, because you did not debate each geographical area. Once it was determined by, for example, the Lake Simcoe Conservation Authority, which was involved—because there was a whole group of them—that “We need shoreline restoration on this particular part of the lake; we need to deal with the tertiary water treatment at this part of the lake; we need to deal with invasive species in this part of the lake,” none of those came back to the Legislature for debate.

Mr. Michael Harris: I know, but, Donna, you specifically identified Lake Simcoe as the area of focus. That is what we’re saying here.

Mrs. Donna H. Cansfield: But at Lake Simcoe—

Mr. Michael Harris: Here, you’re talking about the entire Great Lakes.

Mrs. Donna H. Cansfield: Well, Lake Simcoe, in fact, is one of the largest freshwater lakes that we have, so it’s a billion dollars’ worth of business. It’s no different than our portion of the Great Lakes in terms of shoreline restoration, ensuring commercial fisheries continue to exist, working with the First Nations and aboriginals, 80% of our drinking water, working with the farmers.

I know you may have different experiences with that than I may have had, but the fact of the matter is that it’s protection of probably our greatest source that we need, and that’s the water that we consume, and it in fact supplies the food that we eat. So we should be able to work through this exactly as we did with Lake Simcoe, which you wholeheartedly supported, along with your federal partners, who put in a significant amount of money. In fact, they too are very supportive of this

because they recognize how important the Great Lakes are in terms of shipping, what they call the H₂O highway, and the fact that we need to be able to ensure—that's why they have their international agreement, their bilateral agreement, which has nothing to do with shoreline protection. It has to do with shipping and water diversion. That's why those other acts are specific. Clean drinking water only tests the water. It doesn't do anything else but test the water. That's why you need the legislation that enables it said, for each part of those that are identified, that are important to ensure the Great Lakes protection, that you must comply; you can't ignore it. We can't be silent on it and you can't ignore it. That's why this is enabling legislation.

The Chair (Mr. Peter Tabuns): Mr. Walker.

Mr. Bill Walker: Thank you again, Ms. Cansfield. Your historical perspective is very helpful for people like myself, and in fact all three of us who are relative rookies still.

A point of clarification, then: The Lake Simcoe act, to my understanding, had no guardian council.

Mrs. Donna H. Cansfield: It actually had a council—if I may—that was put together. It had a very extensive council that was put together made up of municipalities, environmental groups. I can't remember exactly whoever was on it, but it was very extensive. And as they consulted, they were required to go out and consult extensively with the community, because one of the biggest challenges on Lake Simcoe was the nutrient or the fertilizer problem and its drawing into the lake. So anything that they had decided that they would like to do had to go through that extensive consultation process, and it was very extensively representative of the people. That's why you had the Ladies of the Lake here, if you'll recall—one of the groups that sit on it—conservation authorities, municipalities, the municipality where my cottage is, Georgina. There's Barrie, Innisfil, you name it, because it is so important to each and every one of those communities that (a) their voice is heard, but (b) their story is heard, because I can share with you that the story at Lefroy is quite different from the one in Barrie, or the story in Keswick is quite different from the one at Snake Island, because they each have different issues they need to resolve. That's that geographical location thing.

So they did have an extensive—and they do have a council that does do this—

Mr. Bill Walker: And one more small little point: You've referenced that there was an advisory council, whatever that would be made up of at that point. Is there a difference this time—that in this case, the guardians' council will have primary approval ability that that group did not?

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Mrs. Donna H. Cansfield: No, I think if you look again, it's exactly the same. It's no different, and one of the reasons is because when we did the consultation on the Lake Simcoe Protection Act, we worked very closely with the feds on this—because we have a vested interest in that whole body of water, just as we do the Great

Lakes: How do we find the best way to do this that is inclusive of all of the partners who need to be at the table? So there can be no unilateral decision-making that eliminates one party from another's perspective.

Mr. Michael Harris: But, Donna, I think you raised the point, exactly. What we're saying is, those initiatives were created specifically to address a certain area that were brought forward to the Legislature—

Mrs. Donna H. Cansfield: No, they weren't. I'm sorry; they were not brought back. All you approved was the Lake Simcoe Protection Plan.

Mr. Michael Harris: You identified an area to address. It was—

Mrs. Donna H. Cansfield: It did not come back to the Legislature.

Mr. Michael Harris: I know, but you identified Lake Simcoe as an area or initiative to bring to the Legislature to propose an act—of course enabling, afterwards, dealt with the initiatives. But this act is broad-based and will not allow for an opportunity similar to what happened with the Lake Simcoe act.

Mrs. Donna H. Cansfield: No, I disagree with you. It's exactly the same. What you're suggesting is, because of the size of the Great Lakes, that predisposes that you could only do this with Lake Simcoe but you can't do it with anyone else. We're saying that it worked so well with the Lake Simcoe Protection Act—it's identical. It is bottom up. It has all the checks and balances. It involves the people where the rubber hits the road, prior to. So all the legislation does: It enables this to happen, and then we go out and we do the work, which is no different than what I did in natural resources. When I went to Lake Erie and talked to the farmers, we specifically looked at their shoreline restoration for drainage because it was a huge issue for them. We didn't do all of Lake Erie; we did a specific part of Lake Erie. That was the reason that the farmers were quite involved in that process, along with the stewardship council. They were the ones who identified their geographical area; we didn't.

The Chair (Mr. Peter Tabuns): Thank you, Ms. Cansfield.

Mr. Michael Harris: I appreciate that. Here's a picture of the Great Lakes, and there's Lake Simcoe. You're now saying that this one bill will address all Lake Simcoe acts within one. So my—

Mrs. Donna H. Cansfield: That's just your lawyer pulling some hairs out of that. That's not true. The fact is, there is an act that works and we're using the same premise for another act.

Mr. Michael Harris: But it will never—

Mrs. Donna H. Cansfield: I'd like to call the question.

Mr. Michael Harris: But agree with me that it will never come back to the Legislature.

Interjections.

Ms. Dipika Damerla: Chair—

The Chair (Mr. Peter Tabuns): Mr. Harris, Ms. Cansfield, Ms. Damerla.

Mr. Harris, you're complete?

Mr. Michael Harris: Again, the intent here is to remove the designated policy, as I had mentioned, so that it would be able to come back to the Legislature, as the initiative of Lake Simcoe was brought forward initially, so that we can address areas around the Great Lakes, similar to what we did with the Lake Simcoe act, but including the members of the Legislative Assembly in that process. That is the intent of the motion.

The Chair (Mr. Peter Tabuns): We are about to run out of time. Ms. Damerla, you have a request?

Ms. Dipika Damerla: Yes. Chair, I—

Mr. Michael Harris: Wasn't the question called?

The Chair (Mr. Peter Tabuns): No.

Mr. Michael Harris: Donna called it.

Mrs. Donna H. Cansfield: Yes, but I spoke too much.

The Chair (Mr. Peter Tabuns): She spoke too much. Ms. Damerla?

Ms. Dipika Damerla: I did not get a clear answer. I heard MPP Harris say I can bring a motion forward. That was not a motion. All I was asking was if all of us can agree to write to the three House leaders, seeking per-

mission to meet for two whole days for clause-by-clause on this bill, over the holidays.

The Chair (Mr. Peter Tabuns): You've made that request. Does the committee agree?

Mr. Michael Harris: No.

The Chair (Mr. Peter Tabuns): We heard a no.

Ms. Dipika Damerla: Can we put it to a vote? How does this work? Does it have to be unanimous?

The Chair (Mr. Peter Tabuns): Yes. You're making a request. It's not a motion. You don't have—

Mr. Michael Harris: I'll call the question.

The Chair (Mr. Peter Tabuns): The question has been called.

Any further debate?

Mr. Jonah Schein: Point of order. Am I able to pass a motion requesting—

The Chair (Mr. Peter Tabuns): No, apparently you can't move a motion.

Any further debate? There being none, all those in favour of the motion? All those opposed? It fails.

We've come to the end of our time. This committee stands adjourned.

The committee adjourned at 1025.

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